

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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AKRAM MARSEET,

Plaintiff,

Case # 20-CV-7096-FPG

v.

ORDER

ROCHESTER INSTITUTE OF TECHNOLOGY, et al.,

Defendants.

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On June 14, 2022, Plaintiff Akram Marseet moved to amend the complaint to add claims that Defendant Rochester Institute of Technology engaged in gender discrimination, violated the Family Educational Rights and Privacy Act (“FERPA”), and violated the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). ECF No. 83. On January 27, 2023, Magistrate Judge Marian W. Payson issued a Report & Recommendation (“R&R”), in which she recommended that the motion to amend be denied. ECF No. 158. No objections to the R&R have been filed.

Generally, a court reviews portions of an R&R to which a party makes specific objections *de novo*. Fed. R. Civ. P. 72(b)(2); 28 U.S.C. § 636(b)(1)(C). When a party does not object to the R&R, however, the court will review it for clear error. *EEOC v. AZ Metro Distributors, LLC*, 272 F. Supp. 3d 336, 339 (E.D.N.Y. 2017). “When performing such a clear error review, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Boice v. M+W U.S., Inc.*, 130 F. Supp. 3d 677, 686 (N.D.N.Y. 2015) (internal quotation marks omitted). After conducting the appropriate review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

No objections having been filed, the Court has reviewed the R&R for clear error, and finds none. Accordingly, the Court ADOPTS IN FULL Judge Payson's R&R (ECF No. 158) and DENIES Plaintiff's motion to amend the complaint (ECF No. 83).

IT IS SO ORDERED.

Dated: March 3, 2023  
Rochester, New York



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HON. FRANK P. GERACI, JR.  
United States District Judge  
Western District of New York